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Summary record of the 48th meeting
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Chairman: Ms. Wensley ..... (Australia)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10 a.m.

Agenda item 120: Programme planning (*continued*) (A/C.5/54/L.23)

Draft resolution A/C.5/54/L.23

1. **Mr. Sial** (Pakistan), introducing draft resolution A/C.5/54/L.23, said that some aspects of the report of the Committee for Programme and Coordination (CPC) had not been covered in informal consultations. They would be taken up at the resumed fifty-fourth session of the General Assembly.

2. *Draft resolution A/C.5/54/L.23 was adopted.*

3. **Mr. Lähdesmäki** (Finland), speaking on behalf of the European Union, said that the European Union had been pleased to join in the consensus on the draft resolution. The promulgation and the content of the rules in implementation of the revised Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation adopted by the General Assembly at its fifty-third session were of course the responsibility of the Secretary-General. The European Union looked forward to the promulgation and implementation of the rules as soon as possible. With an eye to the forthcoming proposed medium-term plan, the Secretariat should improve the implementation of regulation 4.11 and rule 104.3 (b). And with regard to the forthcoming programme performance report for 1998-1999, regulation 6.1 and rule 106.1 should be fully implemented, taking into account the recommendations made by CPC in paragraph 47 of its report (A/54/16).

Agenda Item 164: Human resources management (*continued*) (A/C.5/54/L.24)

Draft decision A/C.5/54/L.24

4. **Mr. Sial** (Pakistan), introducing draft decision A/C.5/54/L.24, said that it had proved impossible to reach agreement in informal consultations on the reports submitted under the item, with the exception of the reports on the Staff Regulations and the Staff Rules. The outstanding issues would be taken up as a matter of priority at the resumed fifty-fourth session.

5. *Draft decision A/C.5/54/L.24 was adopted.*

6. **Ms. Aragon** (Philippines) said that her delegation regretted that it had been impossible to consider all the issues, for it still had reservations about section V, paragraph 22, of General Assembly resolution 53/221. It hoped that the Bureau would schedule sufficient time to complete the item in the early part of the resumed fifty-fourth session.

Agenda item 142: Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (*continued*) (A/C.5/54/L.25)

Agenda item 143: Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (*continued*) (A/C.5/54/L.26)

Draft resolution A/C.5/54/L.25

Draft resolution A/C.5/54/L.26

7. **Mr. Sial** (Pakistan), introducing draft resolutions A/C.5/54/L.25 and L.26, said that some of the difficulties encountered in the informal negotiations had been due to the late submission of reports and, in particular, the non-submission of the report of the expert review group. However, a decision had been taken to approve the relevant recommendations of the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

8. *Draft resolutions A/C.5/54/L.25 and A/C.5/54/L.26 were adopted.*

Agenda item 126: United Nations common system (*continued*) (A/C.5/54/L.14)

Draft resolution A/C.5/54/L.14

9. **Mr. Ahounou** (Côte d'Ivoire) introduced draft resolution A/C.5/54/L.14 on behalf of the Chairman.

10. *Draft resolution A/C.5/54/L.14 was adopted.*

Agenda item 151: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*) (A/C.5/54/L.16 and A/C.5/54/L.27)

Draft decision A/C.5/54/L.16

Draft resolution A/C.5/54/L.27

11. **Ms. Buergo Rodríguez** (Cuba) introduced draft resolution A/C.5/54/L.27.

12. **Mr. Yel'chenko** (Ukraine), speaking on behalf of Belarus and Ukraine, said that they withdrew draft decision A/C.5/54/L.16.

13. *Draft resolution A/C.5/54/L.27 was adopted.*

14. **Mr. Yel'chenko** (Ukraine) said that his delegation was grateful to the Committee for its understanding and support, to the Bureau for allowing time for consideration of the matter, and to the representative of Cuba for her skilful coordination of the informal negotiations. The draft resolution just adopted was a logical consequence of General Assembly resolution 49/470; Ukraine would now be able to make a contribution to the work of the General Assembly and retain its voting rights.

15. **Mr. Vantsevich** (Belarus) said that his delegation was very satisfied with the outcome of the informal negotiations and the adoption of the draft resolution. It was grateful to all the delegations which had participated in the Committee's consideration of the matter and in particular to the representative of Cuba. The decision just taken would help Belarus to pay its arrears and fulfil its financial obligations to the Organization.

Agenda item 121: Proposed programme budget for the biennium 2000-2001 (*continued*)

Revised estimates under section 3 (Political affairs) and section 5 (Peacekeeping operations) (A/54/7/Add.11; A/C.5/54/40)

16. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that in his report on the revised estimates under sections 3 and 5 (A/C.5/54/40) the Secretary-General had indicated that additional costs of $3.7 million would arise from the new mandates of the United Nations Special Coordinator for the Middle East Peace Process and his Personal Representative to the Palestine Liberation Organization and the Palestinian Authority. The new mandates would encompass the previous functions and responsibilities of the United Nations Special Coordinator in the Occupied Territories currently budgeted under section 5, for which an amount of $6.1 million had already been proposed in the initial estimates. The Secretary-General proposed to transfer that amount from section 5 to section 3. In its related report (A/54/7/Add.11) the Advisory Committee recommended that the additional estimate of $3.7 million should be accepted and that it should be a charge against the provision for special political missions under section 3. It also agreed with the proposed reclassification of a D-1 post to the D-2 level and the transfer of the resources of the Office of the United Nations Special Coordinator in the Occupied Territories (UNSCO) included in the initial estimates from section 5 to section 3.

17. **Mr. Adam** (Israel) said that his delegation supported the work of the United Nations Special Coordinator in activities concerned with economic and social matters and commended the efforts made by United Nations agencies and other coordinators in the region. He hoped that in the future documents as important as the report under consideration (A/C.5/54/40) would be available in a more timely manner. Moreover, his delegation would expect to be consulted or at least informed in advance about changes affecting the parties concerned. It should be borne in mind that, according to the terms of the letter of invitation to the 1991 Madrid peace conference, the only parties from outside the region designated as co-sponsors of the Middle East peace process were the United States and the Russian Federation.

18. **Mr. Darwish** (Egypt) expressed his delegation's support for the efforts of the United Nations Special Coordinator for the Middle East Peace Process and for the additional requirements in the amount of $3,755,800 indicated in the Secretary-General's report (A/C.5/54/40). Noting that in annex IV of that document it was proposed that the posts listed under the heading "Socio-economic development" should be funded from extrabudgetary resources while other posts should be funded from the regular budget, he requested an explanation of the basis for that distinction and of why it had not been proposed that all the posts should be funded from the regular budget. He also asked the

reason for the expansion of the terms of reference of the Special Coordinator.

19. In document A/C.5/54/40 it was stated that the activities in question came under programme 1 (Political affairs) and that it was proposed to transfer resources from section 5 (Peacekeeping operations) to section 3 (Political affairs). He asked for an explanation.

20. His delegation shared the concern expressed about the late preparation and submission of the report. It would have liked to have had an opportunity to study it in depth and hear the views of the Secretariat on various points.

21. In conclusion, he drew attention to a letter dated 8 December 1999 addressed by the Secretary-General to the President of the Security Council stating that the Office of the new Special Coordinator needed additional resources. He asked why that issue should be raised in a letter addressed to the Security Council. He called for respect for the spheres of competence of the various organs of the United Nations, in particular the Fifth Committee and likewise the Security Council, which constantly had numerous issues before it.

22. **Mr. Jilani** (Observer for Palestine) said that his delegation welcomed the appointment of Mr. Terje Roed-Larsen as Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General to the Palestine Liberation Organization and the Palestinian Authority.

23. His delegation had received some replies to its questions concerning the restructuring of the existing office, including a letter from the Under-Secretary-General for Political Affairs stating that the former terms of reference, functions and responsibilities of the Special Coordinator would be maintained. He emphasized that any change in or expansion of the terms of reference of the Special Coordinator must be brought before the competent bodies, and stressed the role of the United Nations in the peace process. The Palestinian side would extend to the Special Coordinator its full support and cooperation.

24. **Mr. Darwish** (Egypt) said that the phrase "Occupied Territories" in the third paragraph of the summary of document A/C.5/54/40 was vague and required clarification. He asked precisely what it was intended to mean.

25. **Mr. Sach** (Director, Programme Planning and Budget Division), in response to questions, said that extrabudgetary resources had been used to fund some of the functions of the United Nations Special Coordinator in the Occupied Territories since 1995, as reflected in successive programme budgets. An amount of $1.1 million in extrabudgetary resources had been expended in the biennium 1996-1997, and a similar amount had been allocated for 1998-1999, chiefly for the coordination of multilateral and bilateral technical cooperation, including the preparation of reports on the Palestinian economy. Under the expanded terms of reference of the Special Coordinator for the Middle East Peace Process, provision had been made for economic reports on the countries newly included in the mandate, to be paid for out of extrabudgetary resources provided by the Government of Norway. The posts indicated in annex IV as funded from extrabudgetary resources were closely linked to the United Nations Development Programme; the D-1 post in the United Nations Affairs Unit was being provided on a non-reimbursable basis by UNDP, since the Director would be working closely with UNDP resident coordinators in the region; the holders of the socio-economic development posts under Regional Affairs would actually be working in UNDP offices.

26. The purpose of the transfer of resources from section 5 to section 3 was to unite all special political missions under one section of the budget in order to ensure uniform treatment.

27. With regard to complaints about late receipt of document A/C.5/54/40, he would like to point out that the Security Council had reviewed the question before the Committee on 8 December; a 15-page document had been submitted for translation in all languages two days later; the translations had been completed over the weekend, printed and given on 13 December to the Advisory Committee, which had considered the document the following day; and its report had been produced in all languages and made available on Wednesday, 15 December. All in all, he thought it had been a creditable performance.

28. With regard to terminology, the term "Occupied Territories", sometimes rendered "Occupied Palestinian Territories", traditionally referred to the West Bank and Gaza Strip, and had been so used in the Secretary-General's report (A/C.5/54/40).

29. In response to questions about the expanded mandate, he merely wished to observe that the Secretary-General had informed the Security Council of his intentions in a letter dated 10 September 1999 (S/1999/983).

30. **Mr. Jilani** (Observer for Palestine) pointed out that the General Assembly, in its decision 53/424, had requested the Secretary-General to use the term "Occupied Palestinian Territory, including Jerusalem" when appropriate, in reports to the General Assembly, and he hoped that the Secretariat would continue to do so.

31. **Mr. Sach** (Director, Programme Planning and Budget Division) said that a corrigendum would be issued to document A/C.5/54/40.

32. **Mr. Darwish** (Egypt) said that his delegation supported the statement by the Observer for Palestine. He wished to thank the Secretariat for its efforts to produce the documents promptly.

33. **The Chairman** said that, in the light of the discussion, the draft decision she had intended to suggest would be reworked and submitted to the Committee at a later date.

Programme budget implications of draft resolution A/C.2/54/L.73 concerning agenda item 99 (f) (A/C.5/54/43 and A/C.5/54/44)

34. **The Chairman** drew attention to the Secretary-General's statement of the programme budget implications of draft resolution A/C.2/54/L.73 (A/C.5/54/43) regarding the implementation of the Programme of Action for the Least Developed Countries for the 1990s and to the letter dated 16 December 1999 from the Chairman of the Committee on Conferences (A/C.5/54/44) recommending to the General Assembly that it should grant an exception to section I, paragraph 4, of General Assembly resolution 40/243, thereby authorizing the intergovernmental preparatory committee for the Third United Nations Conference on the Least Developed Countries to convene in New York, away from its established headquarters at the headquarters of the United Nations Conference on Trade and Development (UNCTAD) in Geneva.

35. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that according to the Secretary-General's statement of programme budget implications (A/C.5/54/43), any additional costs resulting from a change of venue of the Third United Nations Conference on the Least Developed Countries from Geneva to Brussels would be borne by the European Union; however, the holding of the meetings of the intergovernmental preparatory committee in New York would constitute an exception to section I, paragraph 4, of General Assembly resolution 40/243.

36. The cost of the participation of two government representatives from each least developed country in the two preparatory committee meetings and the Conference itself was estimated at $1.7 million, to be met from extrabudgetary resources. Should they be insufficient, however, the Secretary-General's understanding was that he would be authorized to use, first, the unspent balance of the resources approved by the General Assembly in paragraph 2 of its resolution 53/3, amounting to $576,700 as at 30 September 1999, which should be sufficient to cover the cost of participation of two representatives from all least developed countries to the first meeting of the preparatory committee. In the event that there continued to be a shortfall in extrabudgetary resources, the Secretary-General would bring the situation to the attention of the General Assembly at its fifty-fifth session.

37. Payment of travel for representatives of least developed countries as envisaged in paragraph 14 of the draft resolution would imply an exception to the provisions of General Assembly resolution 1798 (XVII) regarding the payment of travel and subsistence expenses in respect of members of organs and subsidiary organs of the United Nations.

38. Although the Secretary-General had a number of options for financing the participation of representatives of least developed countries in the preparatory committee meetings, he had elaborated on only one of them, the use of the unspent balance of UNCTAD resources approved under General Assembly resolution 53/3. That option entailed some difficulties, however. The resolution provided for covering the expenses of experts attending, in their personal capacity, expert meetings convened by commissions of one specific body, the Trade and Development Board, and not activities of the kind outlined in draft resolution A/C.2/54/L.73. Under the circumstances the General Assembly might wish to consider approving the use of savings from the programme budget for

1998-1999 or making provision in the programme budget for 2000-2001.

39. Other additional requirements resulting from the draft resolution included a provision of general temporary assistance for the Office of the Special Coordinator for Least Developed, Landlocked and Island Developing Countries.

40. The Advisory Committee recommended that the Fifth Committee should inform the General Assembly that, should it adopt draft resolution A/C.2/54/L.73, additional provisions of $616,400 under section 11A and $30,000 under section 26 would be required over and above the resources included in the proposed programme budget for the biennium 2000-2001. Under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, those provisions would represent a charge against the contingency fund. Depending on the action the General Assembly took with regard to the financing of the participation of representatives of least developed countries, as outlined above, there might be an additional charge against the contingency fund.

41. **Mr. Barnwell** (Guyana), speaking on behalf of the Group of 77 and China, said that, while the Group was supportive of the broad objectives of draft resolution A/C.2/54/L.73, it was concerned by the modalities. The contents of paragraphs 14 and 16, in particular, were in clear contravention of a series of General Assembly resolutions, notably 45/248 B, section VI, paragraph 1, which reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters. Paragraphs 14 and 16 of the draft resolution also constituted a serious deviation from General Assembly resolution 41/213. Moreover, paragraph 16 did not take into account the budget reductions faced by UNCTAD during the previous biennium, including arbitrary cuts implemented as a result of General Assembly resolution 50/214. The Group of 77 and China felt that any decision on the issues raised in paragraphs 14 and 16 of the draft resolution should be taken in the context of the negotiations on the programme budget for 2000-2001.

42. **The Chairman** said that, in the light of the comments made, it appeared the Committee was not ready to take a decision on the programme budget implications of draft resolution A/C.2/54/L.73.

The meeting rose at 11:15 a.m.